

Department of Justice

§ 57.4

set forth in 5 U.S.C. 552. Any person depositing materials pursuant to this section shall indicate with particularity what portions, if any, the person believes are not subject to disclosure to the public pursuant to 5 U.S.C. 552 and the reasons for such belief.

(d) During international oil allocation under chapter III and IV of the IEP or during an IEA allocation systems test, the Department of Justice may issue such additional guidelines amplifying the requirements of these regulations as the Department of Justice determines to be necessary and appropriate.

(Approved by the Office of Management and Budget under control number 1105-0029)

PART 57—INVESTIGATION OF DISCRIMINATION IN THE SUPPLY OF PETROLEUM TO THE ARMED FORCES

Sec.

57.1 Responsibility for the conduct of litigation.

57.2 Responsibility for the conduct of investigations.

57.3 Scope and purpose of investigation; other sources of information.

57.4 Expiration date.

AUTHORITY: Sec. 816(b)(2), Pub. L. 94-106; 89 Stat. 531.

SOURCE: Order No. 644-76, 41 FR 12302, Mar. 25, 1976, unless otherwise noted.

§ 57.1 Responsibility for the conduct of litigation.

(a) In accord with 28 CFR 0.45(h), civil litigation under sec. 816 of the Department of Defense Appropriation Authorization Act, 1976, 10 U.S.C.A. 2304 note (hereafter the “Act”), shall be conducted under the supervision of the Assistant Attorney General in charge of the Civil Division.

(b) In accord with 28 CFR 0.55(a), prosecution, under section 816(f) of the Act, of criminal violations shall be conducted under the supervision of the Assistant Attorney General in charge of the Criminal Division.

§ 57.2 Responsibility for the conduct of investigations.

(a) When an instance of alleged “discrimination” in violation of section 816(b)(1) of the Act is referred to the

Department of Justice by the Department of Defense, the matter shall be assigned initially to the Civil Division.

(b)(1) If the information provided by the Department of Defense indicates that a non-criminal violation may have occurred and further investigation is warranted, such investigation shall be conducted under the supervision of the Assistant Attorney General in charge of the Civil Division.

(2) If the information provided by the Department of Defense indicates that a criminal violation under section 816(f) of the Act may have occurred, the Civil Division shall refer the matter to the Criminal Division. If it is determined that further investigation of a possible criminal violation is warranted, such investigation shall be conducted under the supervision of the Assistant Attorney General in charge of the Criminal Division.

(3) If a referral from the Department of Defense is such that both civil and criminal proceedings may be warranted, responsibility for any further investigation may be determined by the Deputy Attorney General.

§ 57.3 Scope and purpose of investigation; other sources of information.

(a) The authority granted the Attorney General by section 816(d)(1) of the Act (e.g., authority to inspect books and records) shall not be utilized until an appropriate official has defined, in an appropriate internal memorandum, the scope and purpose of the particular investigation.

(b) There shall be no use, with respect to particular information, of the authority granted by section 816(d)(1) of the Act until an appropriate official has determined that the information in question is not available to the Department of Justice from any other Federal agency or other responsible agency (e.g., a State agency).

(c) For purposes of this section, “appropriate official” means the Assistant Attorney General in charge of the division conducting the investigation, or his delegate.

§ 57.4 Expiration date.

This part shall remain in effect until expiration, pursuant to section 816(h)

of the Act, of the Attorney General's authority under section 816 of the Act.

PART 58—REGULATIONS RELATING TO THE BANKRUPTCY REFORM ACTS OF 1978 AND 1994

Sec.

- 58.1 Authorization to establish panels of private trustees.
- 58.2 Authorization to appoint standing trustees.
- 58.3 Qualification for membership on panels of private trustees.
- 58.4 Qualifications for appointment as standing trustee and fiduciary standards.
- 58.5 Non-discrimination in appointment.
- 58.6 Procedures for suspension and removal of panel trustees and standing trustees.
- 58.7 Procedures for Completing Uniform Forms of Trustee Final Reports in Cases Filed Under Chapters 7, 12, and 13 of the Bankruptcy Code.
- 58.11 Procedures governing administrative review of a United States Trustee's decision to deny a Chapter 12 or Chapter 13 standing Trustee's claim of actual, necessary expenses.
- 58.12 Definitions.
- 58.13 Procedures all agencies shall follow when applying to become approved agencies.
- 58.14 Automatic expiration of agencies' status as approved agencies.
- 58.15 Procedures all approved agencies shall follow when applying for approval to act as an approved agency for an additional one year period.
- 58.16 Renewal for an additional one year period.
- 58.17 Mandatory duty of approved agencies to notify United States Trustees of material changes.
- 58.18 Mandatory duty of approved agencies to obtain prior consent of the United States Trustee before taking certain actions.
- 58.19 Continuing requirements for becoming and remaining approved agencies.
- 58.20 Minimum qualifications agencies shall meet to become and remain approved agencies.
- 58.21 Minimum requirements to become and remain approved agencies relating to fees.
- 58.22 Minimum requirements to become and remain approved agencies relating to certificates.
- 58.23 Minimum financial requirements and bonding and insurance requirements for agencies offering debt repayment plans.
- 58.24 Procedures for obtaining final agency action on United States Trustees' decisions to deny agencies' applications and

to remove approved agencies from the approved list.

- 58.25 Definitions.
- 58.26 Procedures all providers shall follow when applying to become approved providers.
- 58.27 Automatic expiration of providers' status as approved providers.
- 58.28 Procedures all approved providers shall follow when applying for approval to act as an approved provider for an additional one year period.
- 58.29 Renewal for an additional one year period.
- 58.30 Mandatory duty of approved providers to notify United States Trustees of material changes.
- 58.31 Mandatory duty of approved providers to obtain prior consent of the United States Trustee before taking certain actions.
- 58.32 Continuing requirements for becoming and remaining approved providers.
- 58.33 Minimum qualifications providers shall meet to become and remain approved providers.
- 58.34 Minimum requirements to become and remain approved providers relating to fees.
- 58.35 Minimum requirements to become and remain approved providers relating to certificates.
- 58.36 Procedures for obtaining final provider action on United States Trustees' decisions to deny providers' applications and to remove approved providers from the approved list.

APPENDIX A TO PART 58—GUIDELINES FOR REVIEWING APPLICATIONS FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES FILED UNDER 11 U.S.C. 330

AUTHORITY: 5 U.S.C. 301, 552; 11 U.S.C. 109(h), 111, 521(b), 727(a)(11), 1141(d)(3), 1202; 1302, 1328(g); 28 U.S.C. 509, 510, 586, 589b.

SOURCE: Order No. 921–80, 45 FR 82631, Dec. 16, 1980, unless otherwise noted.

§ 58.1 Authorization to establish panels of private trustees.

(a) Each U.S. Trustee is authorized to establish a panel of private trustees (the “panel”) pursuant to 28 U.S.C. 586(a)(1).

(b) Each U.S. Trustee is authorized, with the approval of the Director, Executive Office for United States Trustees (the “Director”) to increase or decrease the total membership of the panel. In addition, each U.S. Trustee, with the approval of the Director, is authorized to institute a system of rotation of membership or the like to